

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

DEBORAH D. MOSS,)	
)	
Plaintiff,)	
)	Case No. 1:10-CV-182
v.)	
)	Chief Judge Curtis L. Collier
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

JUDGMENT ORDER

Plaintiff Deborah D. Moss (“Plaintiff”) brought this action pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3) seeking judicial review of the final decision of the Commissioner of Social Security (“Commissioner” or “Defendant”) denying Plaintiff disability insurance benefits (“DIB”) and supplemental security income (“SSI”). The Court referred the matter to United States Magistrate Judge Susan K. Lee pursuant to 28 U.S.C. § 636(b)(1), and both parties filed motions for summary judgment or judgment on the pleadings (Court File Nos. 11, 15).

In accordance with Rule 72(b) of the Federal Rules of Civil Procedure, the magistrate judge filed a report and recommendation (“R&R”) recommending Plaintiff’s motion for judgment on the pleading be denied; Defendant’s motion for summary judgment be granted; the decision of the Commissioner be affirmed, and this action be dismissed with prejudice (Court File No. 17). Neither party filed a timely objection to the R&R.

After reviewing the record, this Court agrees with the R&R. The Court hereby **ACCEPTS** and **ADOPTS** the magistrate judge's findings of fact, conclusions of law, and recommendations pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) (Court File No. 17).

Accordingly, the Court **ORDERS**:

- (1) Plaintiff's motion for judgment on the pleadings (Court File No. 11) is **DENIED**.
- (2) Defendant's motion for summary judgment (Court File No. 15) is **GRANTED**.
- (3) The Commissioner's decision denying benefits is **AFFIRMED** and this action is **DISMISSED WITH PREJUDICE**.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE